

## **REMARKS**

Applicant is in receipt of the Office Action mailed July 1, 2004. Claims 2-4, 13-15, and 24-26 have been cancelled. Claims 1, 5, 6, 9, 12, 16, 17, 20, 23, 27, 29, and 31 have been amended. Thus, claims 1, 5-12, 16-23, and 27-33 are pending in the present case. Further examination and reconsideration of the presently claimed application is respectfully requested in light of the following remarks.

### **Allowable Subject Matter**

Applicant appreciates the allowance of the subject matter of claims 4-8, 15-19, and 26-30.

### **Objections**

The Office Action objected to claims 4-8, 15-19, and 26-30 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has accordingly amended the respective independent claims to include the allowed subject matter, and has updated dependencies among their respective dependent claims as appropriate. Applicant notes that for readability, the limitation, *scanning the region using a Low Discrepancy Sequence scanning scheme*, has been omitted from the independent claims, since the new added limitations explicitly define this feature, and so the coverage of the claims is unaffected by the omission.

### **Section 102 Rejections**

Claims 1-3, 9-14, 20-25, and 31-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by Nair et al (U.S. Patent No. 6,370,270, "Nair"). Applicant respectfully traverses the rejections.

Claims 2-4, 13-15, and 24-26 were cancelled above, and so their rejections are rendered moot. Independent claims 1, 12, and 23 have been amended to include the allowable subject matter, and so Applicant respectfully submits that the claims as currently written are patentably distinct and non-obvious over Nair.

Thus, for at least the reasons given above, removal of the § 102(e) rejection of claims 1, 5-12, 16-23, and 27-33 is respectfully requested.

## CONCLUSION

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-53200/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



---

Jeffrey C. Hood  
Reg. No. 35,198  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8800  
Date: 9/27/2004 JCH/MSW